

**REMARKS**

The present amendment is in response to the Office Action dated April 19, 2006, wherein the Examiner has rejected claims 1, 3, 6-12, and 17-28. Applicant notes that claim 9 was canceled in the previous response submitted March 1, 2006. Accordingly, claims 1, 3, 6-8, 10-12, and 17-28 are pending in the present application. Reconsideration and allowance of pending claims 1, 3, 6-8, 10-12, and 17-28 in view of the following remarks are respectfully requested.

**A. Response to Arguments**

The Action disagrees with Applicant's arguments filed 3/01/06 and received 3/06/06, that Ghaem, (U.S. 5,146,231) fails to teach or suggest "fixedly aligning the reference axis with the screen axis." The Action states that the "screen axis is fixedly aligned with a predetermined compass heading true north, i.e., reference axis 21." This is clearly incorrect. As taught in the present application, "fixedly aligned" means that two axis will always point in the same direction. In other words, they are fixed to each other. The true north vector 21 of Ghaem is therefore clearly not fixedly aligned with the screen axis 18, since they are not illustrated as pointing in the same direction (see figure 1).

Additionally, the Action states that Ghaem teaches "displaying a direction associated with the references axis on the display screen." This is incorrect. Ghaem teaches a visual display that allows a user to estimate direction with respect to predetermined directions North, South, East, and West by looking at and interpreting a compass display. For example, looking at figure 1 of Ghaem it

appears that the device is pointing North-East. Conversely, certain embodiments of the present application are directed to a device that actively displays the direction of the screen axis. For example, if the device claimed in the present application was pointing North-East, it would display “North-East” or some numerical equivalent of North-East. The user is not required to interpret a compass like display as is taught in Ghaem.

The Action states that the “examiner interprets fixedly aligned to mean that there is some sort of fixed relationship between the reference axis and the screen axis, i.e., the reference axis only rotates as the screen axis rotates *to maintain the alignment.*” (Emphasis added.) As explained, however, this is not how the term “fixedly aligned” is used in the present application and in claim 1. Rather claim 1 refers to this type of relationship as a “predetermined relationship,” as in claim 1, which includes the limitation of “selecting a reference axis having a predetermined relationship to the magnetic bearing.”

In other words, the reference axis can be fixedly aligned with the screen axis in certain embodiments, such as the embodiment claimed in claim 1. In other embodiments disclosed in the present application the reference axis can have a predetermined relationship to the screen axis, or vice versa. In such embodiments, the reference axis will appear to rotate as the screen axis rotates in order to maintain the relationship with the screen axis; however, such embodiments are not the subject of claim 1, where the screen axis and reference axis are fixedly aligned.

The Action disagrees with the Applicant's arguments filed 3/6/06 that Ghaem is not fixedly aligned with the screen axis, but rather free to move independently of the major axis. When the Applicant stated that vector 21 of Ghaem was free to move independent of major axis 18, the Applicant meant that the angular relation between major axis 18 and vector 21 is not fixed. As the device rotates, vector 21 will always point North because it is fixedly aligned with North, and not fixedly aligned with the major axis of the device. In other words, it will always point North *independent* of the direction that the device is pointing. This does not mean that there is not an angular relationship between major axis 18 and vector 21. There is an angular relationship. But is not *fixed*.

**B. Claim Rejections Under §103**

The rejections under §103 in the Action dated April 19, 2006 are similar to the rejections under §103 in the Action dated December 7, 2005. As clarified above, the Applicant stands by the original arguments made in the response dated 3/01/06. The remarks and arguments below are similar to those filed 3/01/06.

Paragraph 1 of the Action rejects claims 1, 6, 11-12, 17, and 22-28 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama (U.S. 6,430,498) in further view of Ghaem (U.S. 5,146,231). Applicant respectfully traverse the rejection because Maruyama in further view of Ghaem fails to make out a *prima facie* case of obviousness.

Certain embodiments of the invention disclosed in the present application are directed to a mobile wireless communication device that includes the ability

to present a direction. Further, in certain embodiments, the device can be tuned into a directional pointer. This is achieved by defining a screen axis for the device. A reference axis bearing a relationship to a magnetic bearing is then defined. The reference axis is then fixedly aligned with the screen axis. The direction of the reference axis is then displayed.

Because the screen axis is fixedly aligned with the reference axis, the direction displayed will always correspond with the direction of the screen axis. Accordingly, a user can use the device as a directional pointer by simply pointing the device, or more accurately the screen axis, in a certain direction. The device will then display a direction corresponding with the direction the device is being pointed. (See the description of figure 2 on page 7).

In other embodiments, a map is also displayed on the display screen. The reference axis still fixedly aligned with the screen axis and the direction displayed is the direction the device is heading on the map.

Accordingly, claim 1 recites method for displaying direction comprising “fixedly aligning the reference axis with the screen axis, displaying the reference axis on the display screen, and displaying a direction associated with the reference axis on the display screen.”

Maruyama and Ghaem, taken either alone or in combination, fail to teach or suggest such subject matter. As recognized in the Office Action, Maruyama is silent on fixedly aligning a reference axis with a screen axis and supplying a readout of the direction of the reference axis based on the rotation of the screen axis. However, in contrast to the position taken in the Office, Ghaem also fails to

teach or suggest “fixedly aligning the reference axis with the screen axis, displaying the reference axis on the display screen, and displaying a direction associated with the reference axis on the display screen.”

Ghaem describes an electronic compass that can display directional vectors, such as North, South, East, and West. In addition, the device taught in Ghaem can display a destination vector that points in the direction of a predetermined destination. (See Figure 1). By combining the direction vectors and the destination vector, a user can determine, i.e., estimate, in what direction the predetermined destination lies (see col. 3, lines 23-25).

The Action states that the true North vector 21 is the equivalent of the reference axis taught in the present application and claimed in claim 1. Accordingly, in order for Ghaem to make up for the deficiencies of Maruyama, Ghaem would have to teach fixedly aligning vector 21 with a screen axis. The Action states that the equivalent of the screen axis is the device major axis 18; however, as clearly illustrated in figure 1 of Ghaem, vector 21 is not fixedly aligned with major axis 18, but rather is free to move independently of major axis 18. Although, admittedly some relationship between the two may be maintained. Maintaining a relationship between the reference axis and the major axis is not the same as fixedly aligning the two.

The angular relation between major axis 18 and vector 21 is not fixed. As the device rotates vector 21 will always point North because it is fixedly aligned with North, and not fixedly aligned with the major axis of the device. In other words, it will always point North *independent* of the direction that the device is

pointing. This does not mean that there is not an angular relationship between major axis 18 and vector 21. There is an angular relationship. It is not *fixed*. The relationship changes as the device is moved. Similarly, the reference axis in Maruyama rotates independently.

Additionally, nothing in Ghaem teaches “displaying a direction associated with the references axis on the display screen.” Ghaem teaches a visual display that allows a user to estimate direction with respect to predetermined directions North, South, East, and West by looking at and interpreting a compass display. For example, looking at figure 1 of Ghaem it appears that the device is pointing North-East. As claimed in the present application the direction is displayed directly. For example, if the device claimed in the present application was pointing North-East, it would display “North-East” or some numerical equivalent of North-East. The user is not required to interpret a compass like display.

Accordingly, neither Maruyama or Ghaem, alone or in combination teach the method claimed in claim 1. Applicant therefore respectfully requests withdrawal of the rejection as to claim 1. Further, claims 6 and 11 ultimately depend from claim 1 and are allowable for at least the reasons discussed above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection as to claims 6 and 11 be withdrawn.

Claim 12 also recites “the reference axis to be fixedly aligned with the screen axis and the reference axis signal is responsive to the rotation of the screen axis . . . ,” which Maruyama and Ghaem, alone or in combination, fail to teach as discussed with respect to claim 1.

Additionally, nothing in Ghaem teaches a “user interface screen [that] displays the reference axis direction.” Ghaem teaches a visual display that allows a user to estimate direction with respect to predetermined directions North, South, East, and West by looking at and interpreting a compass display. For example, looking at figure 1 of Ghaem it appears that the device is pointing North-East. As claimed in the present application the direction is displayed directly. For example, if the device claimed in the present application was pointing North-East, it would display “North-East” or some numerical equivalent of North-East. The user is not required to interpret a compass like display which Maruyama and Ghaem, alone or in combination, fail to teach as discussed with respect to claim 1. Applicant therefore, respectfully requests that the rejection as to claim 12 be withdrawn.

Claims 17 and 22, ultimately depend from claim 12 and are allowable for at least the reasons discussed above with respect to claim 12. Accordingly, Applicant respectfully requests that the rejection as to claims 17 and 22 be withdrawn.

Paragraph 2 of the Action rejects claim 3 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Farine (U.S. 6,185,157). Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Farine fails to make out a *prima facie* case of obviousness.

Claim 3 ultimately depend from allowable claim 1 and is therefore non-obvious over Maruyama and Ghaem in further view of Farine for at least the

reasons discussed above with respect to claim 1 unless Farine makes up for the deficiencies of Maruyama and Ghaem, which it does not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claim 3.

Paragraph 3 of the Action rejects claims 7-8 and 18-19 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Johnson (U.S. 6,366,856). Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Johnson fails to make out a *prima facie* case of obviousness.

Claims 7-8 ultimately depend from allowable claim 1 and are therefore non-obvious over Maruyama and Ghaem in further view of Johnson for at least the reasons discussed above with respect to claim 1 unless Johnson makes up for the deficiencies of Maruyama and Ghaem, which it does not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claims 7-8.

Claims 18-19 ultimately depend from allowable claim 12 and are therefore non-obvious over Maruyama and Ghaem in further view of Johnson for at least the reasons discussed above with respect to claim 12 unless Johnson makes up for the deficiencies of Maruyama and Ghaem, which it does not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claims 18-19.

Paragraph 4 of the Action rejects claim 10 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Johnson (U.S. 6,366,856), Atsushi (JP 10-133568) and Irie (U.S. Pub 2001/0007090). Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Johnson, Atsushi and Irie fails to make out a *prima facie* case of obviousness.



Claim 10 ultimately depends from allowable claim 1 and is therefore non-obvious over Maruyama and Ghaem in further view of Johnson, Atsushi, and Irie for at least the reasons discussed above with respect to claim 1 unless Atsushi and Irie, alone or in combination, make up for the deficiencies of Maruyama and Ghaem, which they do not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claim 10.

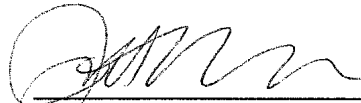
Paragraph 5 of the Action rejects claims 20-21 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Atsushi and Irie. Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Atsushi and Irie fails to make out a *prima facie* case of obviousness. Claims 20-21 ultimately depend from allowable claim 12 and are therefore non-obvious over Maruyama and Ghaem in further view of Atsushi and Irie for at least the reasons discussed above with respect to claim 12 unless Atsushi and Irie, alone or in combination, make up for the deficiencies of Maruyama and Ghaem, which they do not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claims 20-21.

**C. CONCLUSION**

For all the foregoing reasons, allowance of claims 1, 3, 6-8, 10-12, and 17-29 pending in the present application is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

Dated: June 15, 2006

  
Jonathan T. Velasco  
Reg. No. 42,200

Jonathan T. Velasco  
Kyocera Wireless Corp.  
Attn: Patent Department  
P.O. Box 928289  
San Diego, California 92192-8289  
Tel: (858) 882-3501  
Fax: (858) 882-2485